IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.422 OF 2005
IN
SUMMARY SUIT NO.1216 OF 2005

Amita Bhachech & Ors. ....Plaintiffs
V/s.
Virji Patel & Ors. ....Defendants

Mr.Sunil R. Rawal for the Plaintiffs.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 22ND NOVEMBER, 2005.

P.C. :

1. The suit is filed to recover the amounts based on a bill of exchange drawn by Defendant No.1 and accepted by Defendant No.2. The bill of exchange expressly provides for interest at 18% p.a. The Defendants' cheque towards repayment of the principal amount was dishonoured.

2. There is no reply to the Plaintiffs' advocate notice demanding payment. The defence is that the interest is not payable. However, the bill of exchange expressly provides for interest at 18% p.a.

2. There is no affidavit in reply. There is

nothing on record that militates against the Plaintiffs' claim in suit. There is no defence to the suit. The Plaintiffs undertake to file original documents within one week from today.

3. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed with costs.

. Refund as per rules.